HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/16/79372

DESCRIPTION	Retrospective: Erection of fence above existing boundary wall (total height 2m)
ADDRESS	Devonia Hamble Lane Bursledon Southampton SO31 8EL

SITE VISIT DATE	16/11/16
ARE PLANS ACCURATE?	Sufficient to determine
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	• The application is proposing the retention of a fence above the existing wall to a total of 2 metres
TOPOGRAPHY	• Reasonably flat and level
TREES	• Na
BOUNDARY TREATMENT	• As described
SITE CHARACTERISTICS	• The application site contains a detached chalet bungalow at the front and another bungalow at the rear
CHARACTER OF LOCALITY	• This section of Hamble Lane contains detached bungalows with off road parking • The front boundary treatment consists of a one metre tall brick wall and a one metre tall fence above

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Somerton, Hamble Lane	The height of the new fence does restrict my view when driving my car out onto Hamble Lane because I can no longer see if either pedestrians or cyclists are coming along until I am actually on the

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	pavement. I would also comment that the way the fence has been erected with the 'good' side facing inwards is visually unattractive.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
BUR	TO OBJECT on the following grounds • Contrary to Policy 59.BE(i) • The closed boarded fence should face on to the road. • Obscure the view, thereby interfering with the view of traffic, pedestrians and cyclists.
ENG	No highway objection. Due to the wide foot/cycleway fronting the site, visibility splays of 2.4m x 43.0m (as required in a 30mph speed zone) remain achievable on this straight section of Hamble Lane, even with the fence in place.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within HRA Screening Area, river 400m buffer, SAC, SPA, Ramsar 7000m

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011), saved policies

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

Supplementary Planning Guidance : Quality Places (2011)

Supplementary Planning Guidance: Bursledon, Hamble-le-Rice and Hound Character Area (2008)

Supplementary Planning Guidance: Residential Parking Standards (2009)

CHARACTER APPRAISAL AREA

Bursledon, Hamble-le-Rice and Hound Character Area – BHH 26
No significance guidance

SPECIAL POLICY AREA

NA

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

Noted

COMMENT ON REPRESENTATIONS RECEIVED

Noted, the Head of Transportation and Engineering has said that the visibility splays remain achievable on this straight section of Hamble Lane, even with the fence in place.

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

MATERIAL CONSIDERATIONS

Saved policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

Impact upon the Character and Appearance

The boundary fence has been erected on top of the existing brick wall without seeking planning consent. The boundary treatment is now two metres in height. Class A does not permit gates, fences or wall adjacent to highways more than one metre above ground level. The application has been subject to a planning enforcement enquiry as a result

There is concern with the boundary treatment and its overall appearance within the street scene, especially when taking into the context of the site. The Quality Places SPD states that for existing properties, the boundary treatment should be reflective of the general character of the area. During a recent site visit it was observed that the section of houses from Boundary Road to Mallard Road are set back from the highway and have low boundary walls where some properties have some form of planting, which aids in giving occupiers further privacy, but prevents a solid form of boundary treatment.

The boundary fence, in it's appearance is both visually unattractive and unduly prominent within the street scene. The fence has been placed so the inside of it faces the highway which further compounds this, creating a quite stark, harsh boundary treatment. The development is, therefore, considered to fail to respect and cause significant harm to the character of the area, being out of keeping with the nature of residential boundary treatments in the vicinity.

Highways

A neighbour and parish council have commented that the fence restricts visibility for road users. It's not known whether it is meant road users as those travelling along Hamble Lane or those exiting the neighbouring properties. If the comment refers to the former, this is unlikely as the fence does not encroach onto the highway. The neighbours eitherside have the added height which would need to be taken into account when they are approaching the highway. The footpath is nearly 0.5 metres in width and the fence is contained within the site, therefore there is enough room for pedestrians not to have their safety compromised

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Residential Amenity

No harm has arisen to neighbours amenity.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSION

The retention of the boundary fence by way of its height, material, inappropriate form and prominent siting, introduces a visually unsympathetic and dominant feature to the detriment of the street scene and the character of the area. The proposal is contrary to Eastleigh Borough Local Plan Review (2001-2011), saved policy 59.BE, Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, policy DM1, (the Submitted Local Plan), Supplementary Planning Guidance : Quality Places (2011).